

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Cause No. 1:14-cr-0009-JMS-DML
)	
GEORGE MARTIN,)	
)	
Defendant.)	

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REPORT AND RECOMMENDATION

On June 2, 2016, the Court held a hearing on the Petition for Warrant or Summons for Offender Under Supervision filed on September 2, 2015. Defendant Martin appeared in person with his appointed counsel Michael Donahoe. The government appeared by Brad Blackington, Assistant United States Attorney. U. S. Parole and Probation appeared by Officer Chris Dougherty.

The Court conducted the following procedures in accordance with Fed. R. Crim. P. 32.1(a)(1) and 18 U.S.C. § 3583:

1. The Court advised Defendant Martin of his rights and provided him with a copy of the petition. Defendant Martin waived his right to a preliminary hearing.

2. After being placed under oath, Defendant Martin admitted violations 1, and 2.
[Docket No. 12.]

3. The allegations to which Defendant admitted, as fully set forth in the petition, are:

**Violation
Number**

Nature of Noncompliance

- 1 **“The defendant shall not commit another federal, state, or local crime.”**

George Martin was arrested by a detective with the Indianapolis Metropolitan Police Department on August 27, 2015, and charged with Forgery, under cause number 49G251508MC030596. The Information indicates the offender has been charged with nine total counts: Count 1: Fraud on a Financial Institution; Counts 2, 3, 6, and 7: forgery; Counts 4 and 8: Identity Deception; and counts 5 and 9: Auto Theft; all of which are felonies. Detective Matt Reidenbach reported on August 20, 2015, the offender used a false social security number to purchase two vehicles, a 2013 GMC Terrain, and a 2014 Ford Fusion from Andy Mohr Chevrolet in Indianapolis. The offender used his own name and date of birth, but a false social security number to obtain the financing for these vehicles. The detective spoke with the man who actually possesses the social security number, a George Martin, white male, from Paducah, Kentucky, who reported the offender has been stealing and using his identity since 2006.

The offender is currently being held in the Marion County Jail on a \$10,000 surety bond. His is scheduled for a pretrial conference on November 18, 2015, and for jury trial on December 3, 2015.

- 2 **“If this judgment imposes a fine or restitution, it is a condition of probation/Supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.”**

The offender has failed to make payments, as directed, toward his court-ordered restitution. The offender went months without making any payments toward his debt, as he was directed to do by his probation officer and per a signed payment plan. The offender agreed to pay \$150 per month for restitution, which would amount to \$3,600 for the 24 months since he has been on supervision. Records reflect the offender has only paid \$1,686 since he recommenced supervision in July of 2013. Most of the amount that was collected for restitution was collected via garnishment, as the offender was noncompliant with payments. The offender’s current restitution balance is \$76,133.

4. The parties stipulated that:


- (a) The highest grade of violation is a Grade B violation.
- (b) Defendant's criminal history category is II.
- (c) The range of imprisonment applicable upon revocation of supervised release, therefore, is 6 to 12 months' imprisonment.

5. The parties jointly recommended a sentence of 6 months with 18 months of supervised release to follow. Defendant requested a recommendation of placement at the satellite camp at FCI Terre Haute with participation in a mental health treatment program.

The Magistrate Judge, having considered the factors in 18 U.S.C. § 3553(a), and as more fully set forth on the record, finds that the Defendant violated the conditions in the petition, that his supervised release should be revoked, and that he should be sentenced to the custody of the Attorney General or his designee for a period of 6 months with 18 months of supervised release to follow. Defendant will continue on the previously ordered conditions of supervised release. The Defendant is to be taken into custody immediately pending the District Judge's action on this Report and Recommendation. The Court will make a recommendation of placement at the satellite camp at FCI Terre Haute with participation in a mental health treatment program.

The parties are hereby notified that the District Judge may reconsider any matter assigned to a Magistrate Judge. The parties have fourteen days after being served a copy of this Report and Recommendation to serve and file written objections with the District Judge.

Dated: 06/13/2016



Denise K. LaRue
United States Magistrate Judge
Southern District of Indiana

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